

IN RE: PETITION FOR ZONING VARIANCE
N/S Liberty Rd, 175' E of
Sedgemore Road
6922 Liberty Road
2nd Election District
2nd Councilmanic District
KMK General Partner, Legal Owner
Midas Realty Corp., Contract
Purchaser, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-69-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard building setback of 5 ft. in lieu of the required 30 ft., as more particularly described on Petitioner's Exhibit No. 6.

The Petitioner, KMK, General Partner, by Kenneth M. Katz, appeared, testified and was represented by William Monk, Land Planner and Consultant. Appearing on behalf of the Contract Purchaser was Edward A. Mack. Also appearing on behalf of the Petition was Jim Janas, on behalf of the Liberty Communities Development Corporation. There were no Protestants.

Testimony indicated that the subject property known as 6922 Liberty Road consists of 0.71 acres +/-, zoned BR-CSA and is currently improved with an abandoned Scotts Service Station. Testimony indicated that this site has been vacant for a number of years and has become an eyesore in this community.

Testimony also indicated that the Contract Purchaser, Midas Realty Corporation, is desirous of constructing a Midas Automotive Shop similar to the one pictured in Petitioner's pictorial evidence. Testimony further indicated that the proposed 8 bays will service approximately 50 cars per day; each car requiring approximately 60 minutes of service.

Mr. Edward Mack, Regional Manager for Midas, testified that the requested hours of operation are Monday thru Friday, 8:00 A.M. to 7:00 P.M. and Saturday, 8:00 A.M. to 3:30 P.M. He indicated that the maximum employees' shift will be 8 people. He further indicated that all cars requiring overnight service will be kept inside the building during off hours. Mr. Mack concluded by stating that, in his opinion, the Contract Purchaser and Legal Owner would suffer an undue hardship and practical difficulty should the request relief be denied.

Mr. Jim Janas, of the Liberty Communities Development Corporation, Inc., testified that the LCDC voted on the matter on September 17, 1990 and indicated unanimous support for the Petition.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING
Date 11/16/90
By Jim Janas

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PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-69-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.2 to allow a rear yard building setback of 5 feet in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
The narrow depth of the site (125') coupled with the 30 foot setback requirement makes it impossible to situate the building, provide adequate on-site traffic circulation, parking, and safe traffic movements entering and exiting the site to Liberty Road without securing a variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Midas Realty Corporation
(Type or Print Name)
Signature E.A. Mack
1575 Jersey Avenue
Address
North Brunswick, NJ 08902
City and State
Signature
Attorney for Petitioner: 3 Shawan Road 301-527-1881
(Type or Print Name) Address Phone No.
Cockeysville, MD 21030
City and State
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William Monk, Inc.
100 W. Pennsylvania Ave.
Address
Suite 305, Towson, MD 494-8931
City and State 21204 Phone No.
Attorney's Telephone No.: 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22 day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17 day of October, 1990, at 2 o'clock P.M.

FILED 7/31/90 BY WILLIAM MONK
FOR THE ZONING COMMISSIONER
KMK HEARING TIME

J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

ORDER RECEIVED FOR FILING
Date 7/31/90
By William Monk

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14 day of November, 1990 that the Petition for a Zoning Variance from Section 238.2 of the B.C.Z.R. to allow a rear yard building setback of 5 ft. in lieu of the required 30 ft., in accordance with Petitioner's Exhibit No. 6, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. All outdoor site lighting shall be no more than 12 feet above grade. All such exterior

ORDER RECEIVED FOR FILING
Date 11/16/90
By Jim Janas

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lighting shall be directed downward and shall not diffuse onto any residential property.

3. There shall be no outside storage of vehicles awaiting service during off-hours.

4. Hours of operation shall be limited to the hours of 7:00 A.M. to 9:00 P.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm

cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 11/16/90
By Jim Janas

-4-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 567-3853

J. Robert Haines
Zoning Commissioner

October 31, 1990

Dennis F. Bauman
County Executive

Mr. William Monk, Inc.
100 W. Pennsylvania Avenue
Suite 305
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 91-69-A
Midas Realty Corp., Contract Purchaser
KMK, General Partner, Legal Owner

Dear Mr. Monk:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mm
att.
cc: Peoples Counsel
cc: Edward A. Mack
Midas Realty Corp.
cc: Mr. Kenneth M. Katz
KMK, General Partner
cc: Mr. J. Janas
Liberty Communities Development Corp.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

91-69-A

District: 2nd Date of Posting: September 27, 1990
Posted for: Variance
Petitioner: Midas Realty Corporation
Location of property: N/S Liberty Road, 175' E of Sedgemore Road
6922 Liberty Road
Location of Sign: In front of 6922 Liberty Road
Remarks:
Posted by: J. J. Anator Date of return: September 28, 1990
Signature
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

REC

No 3062

Date 7/31/90

H9106041

| PUBLIC HEARING FEES | QTY | PRICE |
|------------------------------|-----|-----------------|
| 020 -ZONING VARIANCE (OTHER) | 1 X | \$175.00 |
| 040 -SPECIAL HEARING (OTHER) | 1 X | \$175.00 |
| | | TOTAL: \$350.00 |

LAST NAME OF OWNER: BUNTING

04A040115HICHC
BA C01046A07-31-90 \$350.00
Baltimore County

Cashier Validation:

Please make checks payable to:

All have carpet.
controls. Quiet.
location at
town Rd. Close to
\$550 Mo. plus

2 to inspect.
Inc., 752-6400

FOR SALE

REDUCED! SEE NEW 3 months
old and public houses. Two BHKs

Meetings

The Owings Mills Arthritis
Support Group will meet Sept.
25 from 10-11:30 a.m. Guest
speaker will be rheumatologist
specialist Edward L. Morris.
M.D. RACP. Rec. at 2 Park
Center Ct., Owings Mills
(301) 724-1231

Classified Deadline
Thursday 3 p.m.

ZIP

ADDITIONAL WORD

LEGAL NOTICE

NOTICE TO CONTRACTORS
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the following date and time:
DATE: OCTOBER 17, 1990
TIME: 2:00 p.m.
CASE NUMBER: 91-69-A
N/S Liberty Road, 175' E of Sedgemoor Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): KMK, General Partner
Contract Purchaser(s): Midas Realty Corporation
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 2:00 p.m.

LEGAL NOTICE

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2nd Election District - 2nd Councilmanic
Legal Owner(s): KMK, General Partner
Contract Purchaser(s): Midas Realty Corporation
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 2:00 p.m.

CERTIFICATE OF PUBLICATION

Pikesville, Md., 9/20/90 19 90
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 19 90 day of the first publication appearing on the 19 90 day of 19 90, the second publication appearing on the 19 90 day of 19 90, the third publication appearing on the 19 90 day of 19 90.

THE NORTHWEST STAR

Cost of Advertisement \$285

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9-25-19 90
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-20-19 90.

THE JEFFERSONIAN,

Publisher

\$4270

NOTICE OF HEARING

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Legal Owner(s): KMK, General Partner
Contract Purchaser(s): Midas Realty Corporation
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 2:00 p.m.

Petition for Zoning Variance
Case Number: 91-69-A
N/S Liberty Road, 175' E of Sedgemoor Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): KMK, General Partner
Contract Purchaser(s): Midas Realty Corporation
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 2:00 p.m.

Variance to allow a rear yard building setback of 5 feet in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of a building permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9/19/90 Sept. 20



Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

Ne 3681

91-69

Please make check payable to Baltimore County

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 21, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at the following:

Petition for Zoning Variance
CASE NUMBER: 91-69-A
N/S Liberty Road, 175' E of Sedgemoor Road
6922 Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): KMK, General Partner
Contract Purchaser(s): Midas Realty Corporation
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 2:00 p.m.

Variance to allow a rear yard building setback of 5 feet in lieu of the required 30 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of a building permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRHigs

cc: KMK, General Partner
Midas Realty Corporation
William Monk, Inc.

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 4, 1990

Mr. Kenneth M. Katz
K.M.K.
3 Shawan Road
Cockeysville, MD 21030

RE: Item No. 41, Case No. 91-69-A
Petitioner: Kenneth M. Katz
Petition for Zoning Variance

Dear Mr. Katz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Midas Realty Corp.
1575 Jersey Avenue
North Brunswick, NJ 08902

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this

22th day of August, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

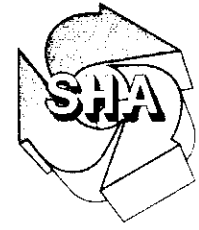
Received By:

James E. Dyer

Chairman,
Zoning Plans Advisory Committee

Petitioner: Kenneth M. Katz, et al

Petitioner's Attorney:



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrative

August 13, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
Midas Muffler Service
Zoning Meeting 8/21/90
W/S Liberty Road
MD 26
175' east of Sedgemoor Road
Item # 41

Dear Mr. Haines:

After reviewing the submittal for a variance to allow a rear yard building setback of 5' in lieu of the required 30', we have the following comment:

The plan must be revised as shown on the attached plan. If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

LB/es

attachment

cc: William P. Monk Inc. w.att.
Mr. J. Ogle w.att.

AUG 13 1990
ZONING OFFICE

333-1350

My telephone number is (301) 333-1350.
Teletypewriter for impaired hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: August 22, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: KMK, General Partner, Item No. 41

The Petitioner requests a Variance to permit a rear yard building setback of 5 ft. in lieu of the required 30 ft.

In reference to the Petitioner's request, staff offers the following comments:

- The project is located within the area of the Liberty Action Plan and the proposed plan known as the Woodlawn/Liberty Community Plan.
- The Master Plan designates this property as being located along the Liberty Road commercial corridor.

Should the Petitioner's request be granted, staff offers the following conditions:

- The Petitioner should investigate the possibility of shared access with the 6-12 Food Store.
- The Petitioner shall file a landscape plan with the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permits. Said plan shall include street trees, internal site planting, and the screening of any dumpster.
- All proposed signs shall comply with the standards set forth in the Liberty Road Action Plan.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM41/ZAC1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

August 10, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

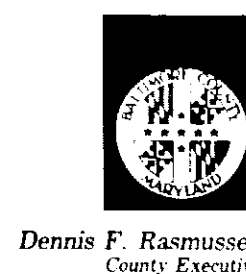
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 40, 41, 43, 46, 47, and 49.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

5/9/90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 41, Zoning Advisory Committee Meeting of August 24, 1990

Property Owner: KMK General Partner

Location: 6922 Liberty Road District: 2

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

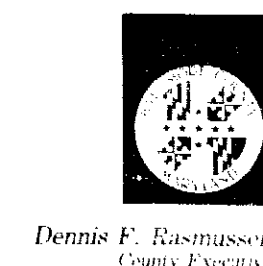
- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for new existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3175, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chaudiere generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other appendages pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3175.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been conducted, must be conducted.
 - () The results are valid until
 - () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others: *Drainage from interior service bays is to be directed to sanitary sewer via oil separator.*

Manu...
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

AUGUST 5, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

RE: Property Owner: KMK GENERAL PARTNER

Location: #6922 LIBERTY ROAD

Item No.: 41 Zoning Agenda: AUGUST 21, 1990

Content:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 26

REVIEWED BY: *John Kelly* 8-9-90 Noted and Approved by: *Captain W. Brady* 8-9-90
Planning Group File Prevention Bureau
Special Inspection Division

GF/TER

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 41
PROPERTY OWNER:
LOCATION:
ELECTION DISTRICT:
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- X A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- X OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 9, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for August 21, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 43, 46 and 49.

For Items 40 and 41, a County Review Group Meeting is required.

For Item 44, the previous County Review Group comments still apply.

For Item 47, the sewer service to the basement of the house at this location does not appear to be feasible.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

November 7, 1990

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case 91-69-A

Dear Commissioner Haines:

Enclosed please find two copies of the amended site plan with the final order for filing in the case log.

Cordially,

William P. Monk
William P. Monk

WPM/jq
Enclosure

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.

3820 Fernside Road • Randallstown, MD 21133 • (301) 655-7766

Liberty Communities Development Corporation (LCDC)

RESOLVED: That the position of the Liberty Communities Development Corporation as adopted by the Board of Directors on September 17, 1990 on the zoning matter known as: Case Number 91-69-A for a Variance on rear yard building setback: petitioner KMK

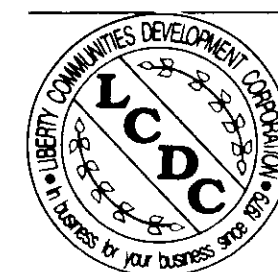
is that: "The Board (L.C.D.C.) unanimously support this petition." Further, "The staff (Jim Janas) receive authority, sanction and instructions to testify on behalf of the organization on the zoning request."

AS WITNESS OUR HANDS AND SEAL THIS 17th DAY OF SEPTEMBER 1990.

ATTEST: Liberty Communities Development Corporation

Jim Janas
Secretary

David K...
President





LIBERTY COMMUNITIES DEVELOPMENT CORPORATION, INC.

3820 Fernside Road • Randallstown, MD 21133 • (301) 655-7766

Board of Directors' Meeting

September 17, 1990

MINUTES

Present: Jack Kiner, Alan Cohen, Lucille Whittingham, Sam Kaufman, Kitty Dean, Maurice Swanson, Ben Seaman, Joseph Lepski, Alan Kaplan, John Glorioso, Pat Nickel, Bruce Bereson, Al Sherry, and Larry Nowak.

Members/Guests: Linda Wheat, Nina Spencer, Marc Bellet, Val & Mel Govig, Ron Thomas, Kim Myers, Baxter Smith, Officer Wright, Ruth Nasdor, Bill Monk and Jim Janas.

Minutes: The minutes were approved as written.

Financial Report: Ben Seaman reported that we had \$1,331.46 in the private account and \$7,578.54 in the County account.

Membership Report: Al Sherry reported one new member, The Time Group, for a total of 196.

Advertising: Pat Nickel reported that the next ad would be coming out in several weeks.

Zoning/CRG

6922 Liberty Road

Jim Janas reported that several conversations had taken place between the office and Mr. William Monk regarding the proposed development of a Midas Muffler facility at the vacant service station at 6922 Liberty Road. The Executive Committee had reviewed the site plan and made arrangements for Mr. Monk, a consultant to the project to speak to the full Board.

Mr. Monk displayed a site plan and explained that his client KMK Partnership had purchased the site - which is zoned BR.

The project consisted of an 8 bay facility. Mr. Monk explained the project's details including the location, building, access, parking/storage, signage and landscaping. The developer was seeking a zoning variance on the 30 ft. set back requirement (91-69A). They were also seeking a waiver of the CRG hearing requirement.

1990-91 Liberty Communities Development Corporation

Board of Directors

President

Jack Kiner
Kiner Tire Corporation
8503 Liberty Road
Randallstown, MD 21133
521-3550

Vice Presidents

Alan Cohen
(Atlas Auto Plaza)
5813 Greenspring Av.
Baltimore, MD 21209
664-9516

Pat Nickel
Nickel's Amoco
8207 Liberty Road
Baltimore, MD 21207
655-9606

Bill Spencer
Spencer Insurance
Liberty Court Shopping Ctr.
8608 Liberty Road
Randallstown, MD 21133
922-0555

Secretary

Rufus Stephens
(McDonald's)
9925 Hoyt Circle
Randallstown, MD 21133
542-0505 (w)

Corresponding Secretary

Lucille Whittingham
Reinhardt Metal Co.
8136 Liberty Road
Baltimore, MD 21207
922-6320

Treasurer

Ben Seaman
Ben Seaman Realty
9976 Liberty Road
Randallstown, MD 21133
521-2900

Immediate Past Pres.

Joseph Lepski
Towne Optical Center
Liberty Court Shopping Center
8630 Liberty Road
Randallstown, MD 21133
655-7337

At Large

Robert Bartholomew
Balt. Co. Gen'l Hosp.
5401 Old Court Road
Randallstown, MD 21133
521-2200

Bruce Bereson
Gentlemen's Quarters
8717 Bradlees Plaza
Randallstown, MD 21133
655-4092

Pete Christ
Cal Bitners Restaurant
9307 Liberty Road
Randallstown, MD 21133
922-4489

Kitty Dean
Signet Bank
9060 Liberty Rd.
Randallstown, MD 21133
922-2668

Steve Galasso
Randallstown Auto Body
3609 Burmont Road
Randallstown, MD 21133
922-7777

John Glorioso
Equitable Jewelry & Loan
5912 Liberty Road
Baltimore, MD 21207
944-2336

Stan Griffin
Griffins Shell
8712 Liberty Road
Randallstown, MD 21133
922-9860

Eleanor Harrison
3416 Abbie Place
Baltimore, MD 21207
655-3122

Annie Hein
Old World Deli & Bakery
9118 Liberty Road
Randallstown, MD 21133
655-5157

Robert Houck
McDonald's, Randallstown
9500 Liberty Road
Randallstown, MD 21133
521-4531

Joan Kahline
Volunteer Service
Balt. Co. Gen'l Hosp.
5401 Old Court Road
Randallstown, MD 21133
521-2200

Alan Kaplan
Alan I. Kaplan & Assoc.
8316 Liberty Road
Baltimore, MD 21207
922-1180

Sam Kaufman
4011 Starbrook Road
Randallstown, MD 21133
655-1315

Toby Koman
Toby Travel Services
8204 Liberty Road
Baltimore, MD 21207
655-5444

Bruce Levine
OP Limited
1018 Munsey Building
Baltimore, MD 21202
792-9292, 752-2959

Larry Nowak
Fair Lanes, Kings Point
4111 Deer Park Road
Randallstown, MD 21133
521-5300

Bruce Robertson
7505 Flinty Plains Road
Baltimore, MD 21207
922-2861

Dr. Alfred Sherry
8007 Liberty Road
Baltimore, MD 21207
521-2001

Dr. Maurice Swanson
7039 Liberty Road
Baltimore, MD 21207
298-2700

Otis Warren
Otis Warren & Co.
7034 Liberty Road
Baltimore, MD 21207
484-6700

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

August 3, 1990

Mr. Bill Obrecht
2137 Gwynn Oak Avenue
Baltimore, Maryland 21207

RE: Proposed Midas Muffler Facility
6922 Liberty Road

Dear Mr. Obrecht:

As a follow-up to our phone conversation on Friday, August 3, 1990, I am forwarding to you a copy of the site plan.

A few additional facts that should help clarify issues:

1. The owner of the property is KMK Partnership. The contact person is Mr. Kenneth Katz. Mr. Katz purchased the property approximately two years ago.
2. The zoning for the property is business roadside (BR). A Midas Muffler facility is permitted by right in this zone. We are requesting a variance in order to locate the building five feet from the rear property line in lieu of the required 30 feet.
3. The use is a "typical" Midas Muffler Shop. The work is limited to mufflers, shocks, and brake work. There is no body work, engine repair, oil changes, tire work, painting, etc. There will be no outdoor storage of damaged or disabled vehicles on the premises. A note to that effect has been placed on the plan and would be part of the Zoning Commissioner's order.

Cordially,

W P Monk
William P. Monk

WPM/ljr

Enclosures

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

August 3, 1990

Mr. Jim Jannis
Director
Liberty Corridor
Development Corporation
3820 Fernside Road
Randallstown, Maryland 21133

RE: Proposed Midas Muffler Facility
6922 Liberty Road

Dear Mr. Jannis:

As a follow-up to our phone conversation on Friday, August 3, 1990, I am forwarding to you a copy of the site plan.

A few additional facts that should help clarify issues:

1. The owner of the property is KMK Partnership. The contact person is Mr. Kenneth Katz. Mr. Katz purchased the property approximately two years ago.
2. The zoning for the property is business roadside (BR). A Midas Muffler facility is permitted by right in this zone. We are requesting a variance in order to locate the building five feet from the rear property line in lieu of the required 30 feet.
3. The use is a "typical" Midas Muffler Shop. The work is limited to mufflers, shocks, and brake work. There is no body work, engine repair, oil changes, tire work, painting, etc. There will be no outdoor storage of damaged or disabled vehicles on the premises. A note to that effect has been placed on the plan and would be part of the Zoning Commissioner's order.

Cordially,

W P Monk
William P. Monk

WPM/ljr

Enclosures

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

August 3, 1990

Mr. Bob Nealey
President
Woodmour Community Association

Dear Mr. Nealey:

Enclosed, please find a copy of the proposed Midas Muffler facility at 6922 Liberty Road. I would be happy to meet with you and/or members of your community association to answer any questions.

A few facts to carry to your people:

1. The owner of the property is KMK Partnership. The contact person is Mr. Kenneth Katz. Mr. Katz purchased the property approximately two years ago.
2. The zoning for the property is business roadside (BR). A Midas Muffler facility is permitted by right in this zone. We are requesting a variance in order to locate the building five feet from the rear property line in lieu of the required 30 feet.
3. The use is a "typical" Midas Muffler Shop. The work is limited to mufflers, shocks, and brake work. There is no body work, engine repair, oil changes, tire work, painting, etc. There will be no outdoor storage of damaged or disabled vehicles on the premises. A note to that effect has been placed on the plan and would be part of the Zoning Commissioner's order.

Cordially,

W P Monk
William P. Monk

WPM/ljr

Enclosures

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

KEN KATZ LENNOX REALTY

3 Shawan Rd.
Cockeysville, MD 21030
301-527-1881

July 23, 1990

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Variance application for Midas Muffler, 6922 Liberty Road,
Baltimore County, Maryland

Dear Commissioner Haines:

As property owner for the above referenced property, I am granting Midas Muffler Realty Corporation and their representatives the authority to appear on my behalf and represent me as applicant in the hearing.

Cordially,

Ken Katz
Kenneth M. Katz
General Partner
KMK Partnership

91-69-A



Liberty Road Community Council, Inc.

MAILING ADDRESS:
P.O. BOX 31555
BALTIMORE, MD 21207

6834 ALTER STREET
BALTIMORE, MD 21207
(301) 484-9387

Robert Haines
Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson Maryland 21204
Re Case 91-69-A
#41
6922 Liberty Road

Dear Mr. Haines,
The Board of Directors of the Liberty Road Community Council has voted at its September Board meeting to oppose this request for a variance in the above referenced case.

Sincerely,
Joan Kahline
for Liberty Road
Community Council

Mr. William Obrecht
President

A Coalition of Communities Working Together for Progress

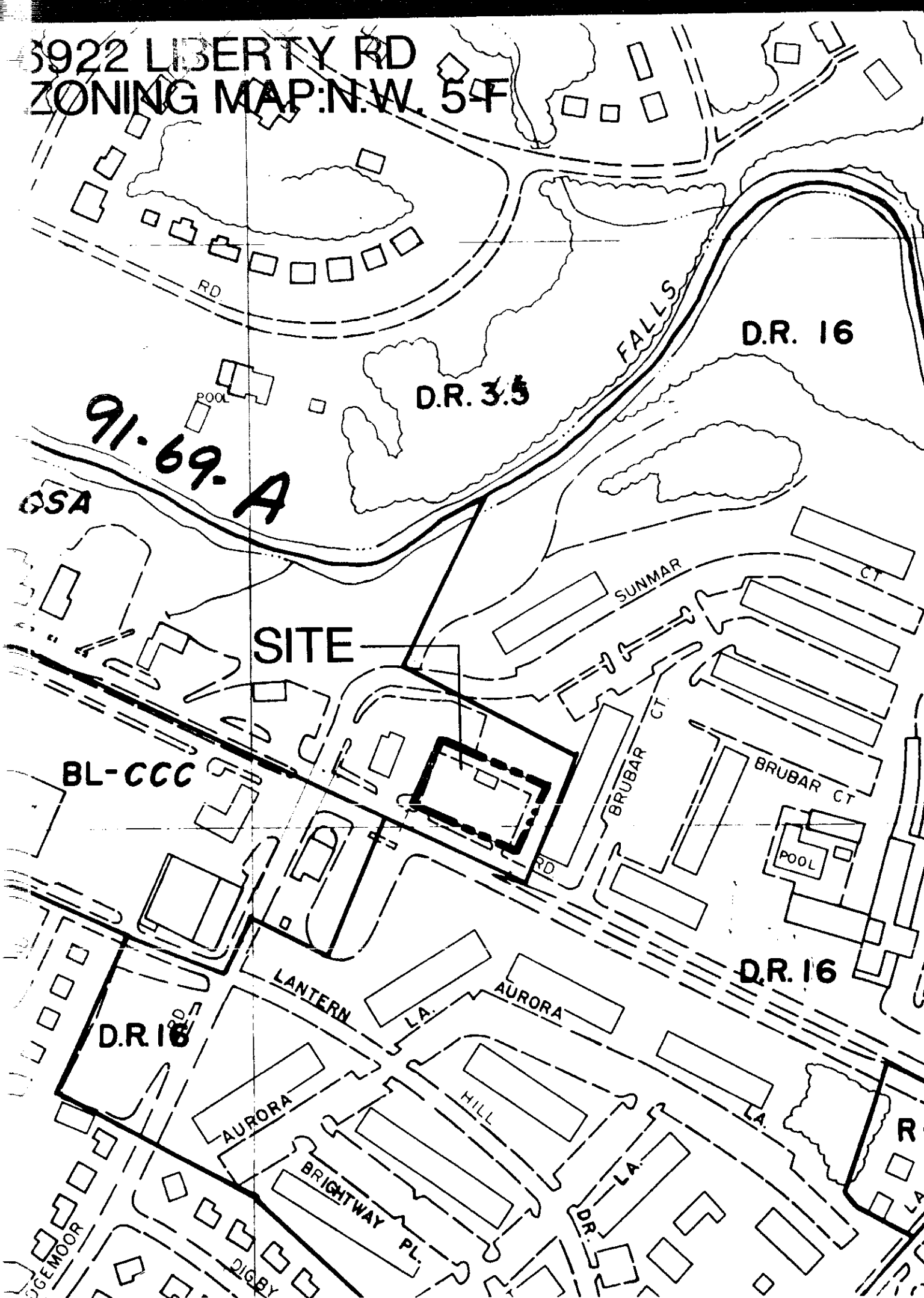
3801 Lockhart Drive
Baltimore Maryland 21207
October 4, 1990

Robert Haines
Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson Maryland 21204

Re Case 91-69-A
#41
6922 Liberty Road

Dear Mr. Haines,
I am writing in response to the request for a variance in the above referenced case. I intend to be present at the hearing on October 17, 1990 at 2:00 PM, and wish to be advised of any change of time. Thank you very much. I would also like to know if there was a decision in the Penn Advertising request at the August 8th hearing. I do not have a response from you, thank you for your kind attention.

Joan Kahline
President of the Liberty Road Community Council



KEN KATZ & ASSOCIATES
DEVELOPERS and MANAGERS
3 Shawan Rd.
Cockeysville, MD 21030
301-527-1881
August 20th, 1990

RE: Robert T. Haines
Zoning Commissioner
Baltimore County
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Item #40
6922 Liberty Road
Baltimore County, MD
Proposed Midas Muffler Facility

Dear Commissioner Haines:

Pursuant to Section 405.6 c of the Baltimore County Zoning Regulations, we are formally notifying Baltimore County that the service station at this location is no longer operating and, in fact, the tanks and pump islands were removed approximately two years ago by permit.

Kenneth Katz
Kenneth Katz
General Partner for KMK Partnership

Date: 8-20-90

PETITIONER'S EXHIBIT 1
91-69A

3 Shawan Rd. Cockeysville, MD 21030 301-527-1881

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

PETITIONER'S EXHIBIT 2
91-69A

6922 LIBERTY ROAD

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE:

WEST SIDE

NORTH SIDE

PETITIONER'S EXHIBIT 3

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE:

EAST SIDE (SHOWS LANDSCAPE BUFFER)

PETITIONER'S EXHIBIT 4

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

LANDSCAPING

REAR WALL

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

**3008 PATAPSCO AVENUE
BALTIMORE COUNTY**

DUMPSTER ENCLOSURE

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

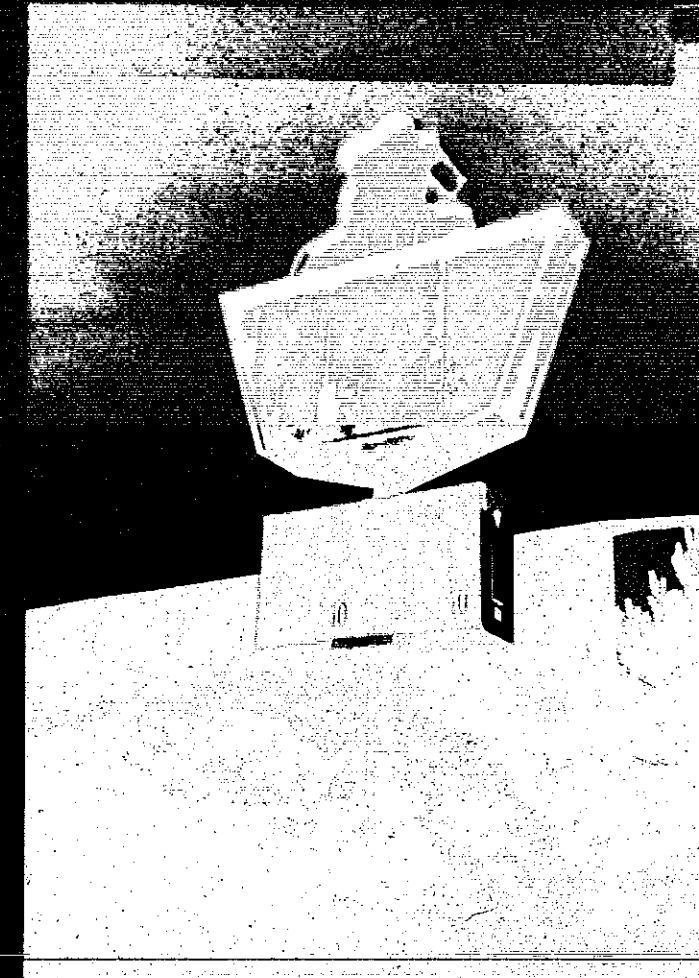
**VIEW LOOKING NORTH TOWARDS APARTMENTS
180 FEET ±**



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931



**EXISTING POLE SIGN
TO BE REMOVED**



WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931



WILLIAM MONK, INC.

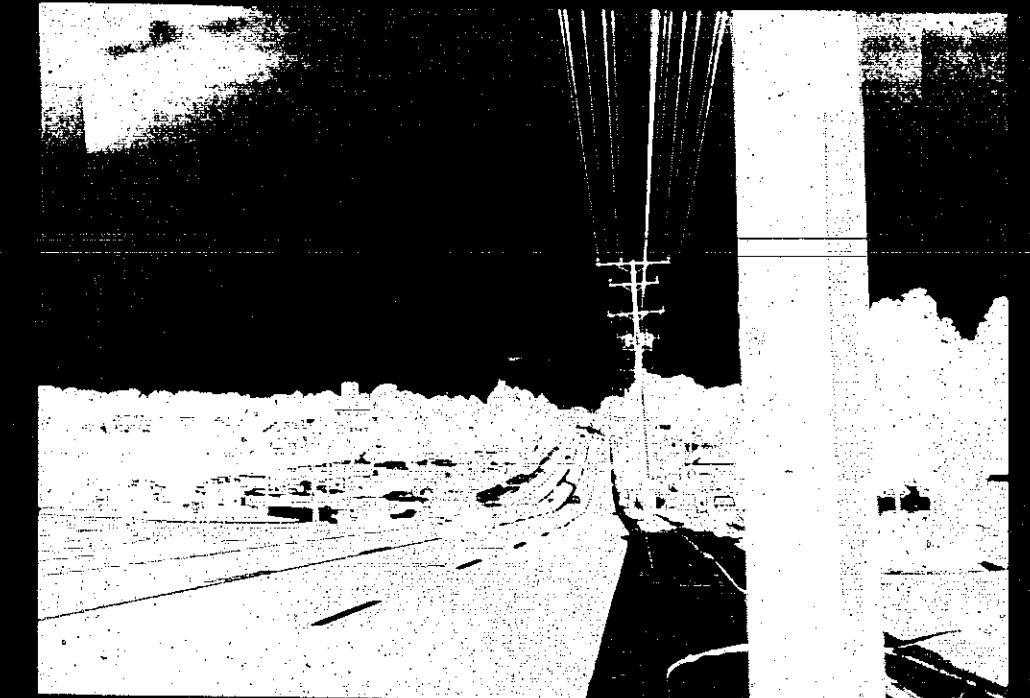
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

LIBERTY ROAD:



VIEW EAST

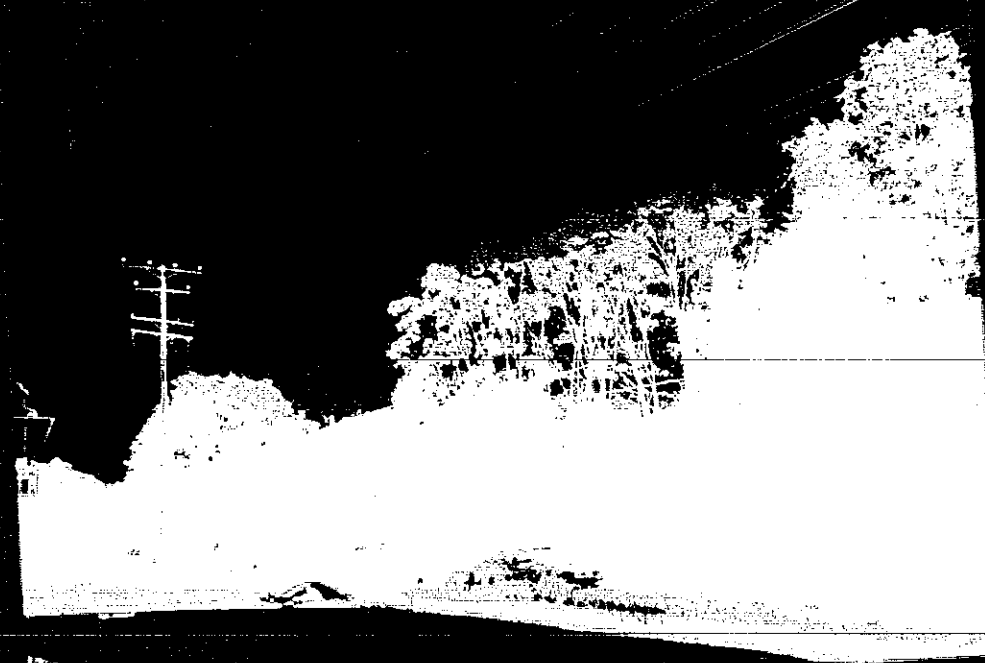


VIEW WEST

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING

**VIEW LOOKING SOUTH
ACROSS LIBERTY ROAD**

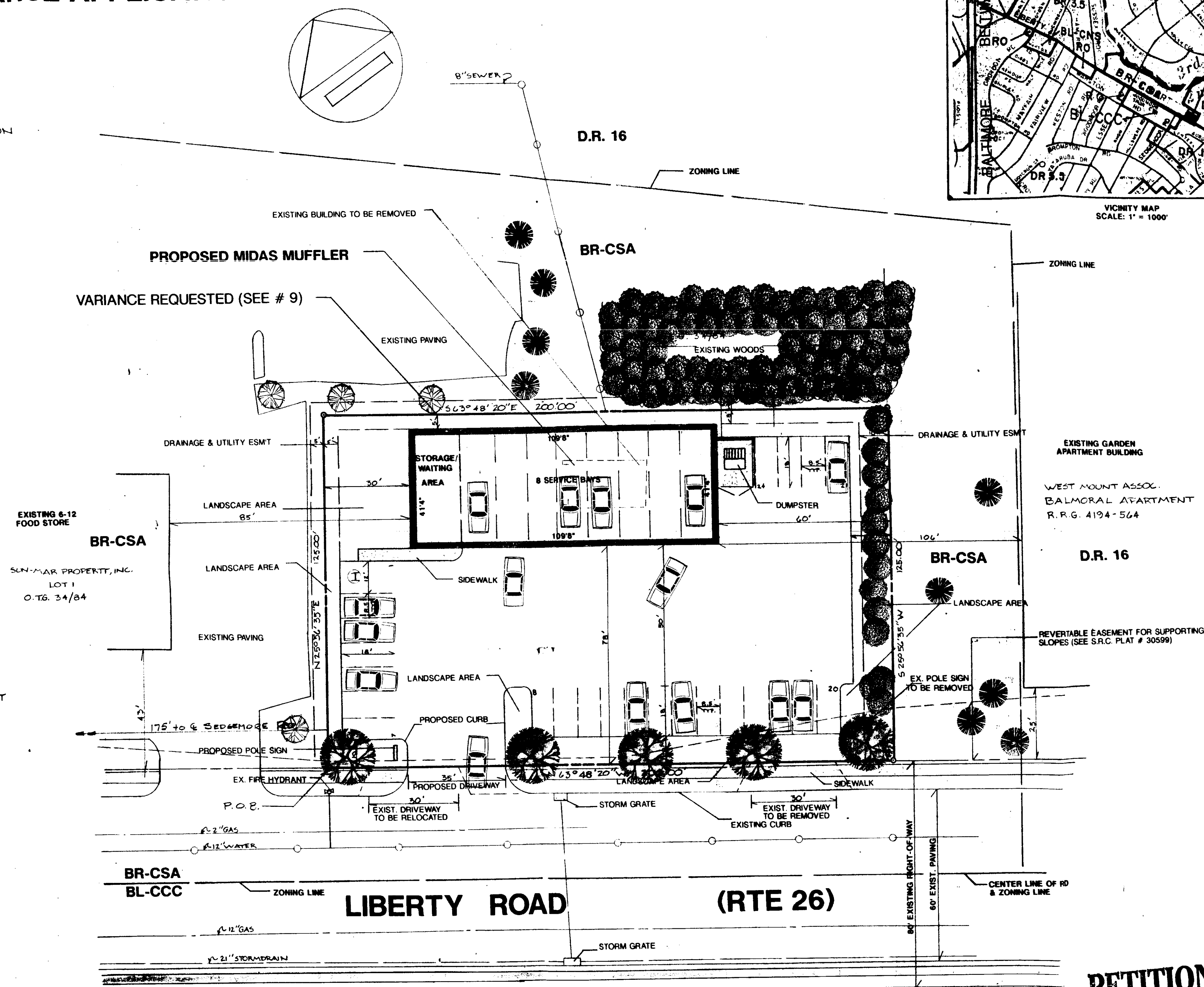


PLAN TO ACCOMPANY VARIANCE APPLICATION

NOTES:

- 1) ZONING:
EXISTING- BR-CSA
PROPOSED- N/A
 - 2) LOT AREA: 25,000 # (0.57 AC) NET, 31,000 # (0.71 AC+) GROSS
 - 3) EXISTING USE: VACANT LOT/VACATED GASOLINE SERVICE STATION
 - 4) PROPOSED USE: SERVICE GARAGE
 - 5) BUILDING AREA: 4578 #
 - 6) BUILDING SETBACKS:

| | REQUIRED | PROVIDED |
|---------------------|----------|----------|
| FRONT- | 45' | 78' |
| INTERIOR SIDE- | 30' | 30'/40' |
| REAR- | 30' | 5' |
| STREET CORNER SIDE- | N/A | N/A |
 - 7) PARKING:
REQUIRED- 1 SPACE/200 # = 16 SPACES
PROVIDED- 24 SPACES + 8 BAYS = 32 SPACES
 - 8) UTILITIES:
SEWER- PUBLIC
WATER- PUBLIC
 - 9) VARIANCES: TO SECTION 238.2 TO PERMIT A 5 FOOT REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET
 - 10) SPECIAL EXCEPTION/CONDITIONAL USE: NONE
- 11) Election District: 1
 - 12) Councilman District: 2
 - 13) Census tract: 4031
 - 14) Watershed: 26
 - 15) Subwatershed: 63
 - 16) Property Reference: Lot 2, "subdivision of Sun-Mar Company property", plat 34/84
 - 17) Property Account No. 1600002397
 - 18) Tax Map 88, Grid 7, Parcel 534
 - 19) Property Owner/Contract Purchaser:
Mr. Ed Mack
Midas Realty Corporation
1575 Jersey Avenue
North Brunswick, NJ 08902
 - 20) Front yard setback based upon averaging (Balto. Co. zoning regulation - policy manual 5-2 B(2))
 - 21) Amenity Open Space: N/A
 - 22) No addition road right-of-way dedication is required
 - 23) Floor area ration calculations: Max. Permitted: 2.0
Provided: 0.15
 - 24) The site is not subjected to any previous zoning hearings or CRG approvals
 - 25) ALL PARKING AREAS AND TRAVEL LANES WILL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE AND PERMANENTLY STRIPED
 - 26) ALL SIGNS WILL BE IN CONFORMANCE WITH SECTIONS 413.2 AND 413.5 OF THE ZONING CODE
 - 27) DAMAGED OR DISABLED VEHICLES OR PARTS WILL NOT BE STORED ON SITE UNLESS ENTIRELY ENCLOSED WITH THE PROPOSED BUILDING



**PETITIONER'S
EXHIBIT 6**

PREPARED BY:
WILLIAM P. HONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 305
100 W. BALTIMORE AVENUE
TOWSON, MARYLAND 21204
(301) 494-8831

PREPARED FOR:
MIDAS REALTY CORP.
1575 JERSEY AVENUE
NORTH BRUNSWICK, NJ
08902

PRELIMINARY SITE PLAN PROPOSED MIDAS MUFFLER SERVICE GARAGE 6922 LIBERTY ROAD BALTIMORE COUNTY, MD

| | | | |
|------------------|------------------|--------------------|---------------------|
| SCALE: 1"=20' | DRAWN BY: JPH | DATE: 7-25-1990 | REVISED: 7-31-90 |
|------------------|------------------|--------------------|---------------------|

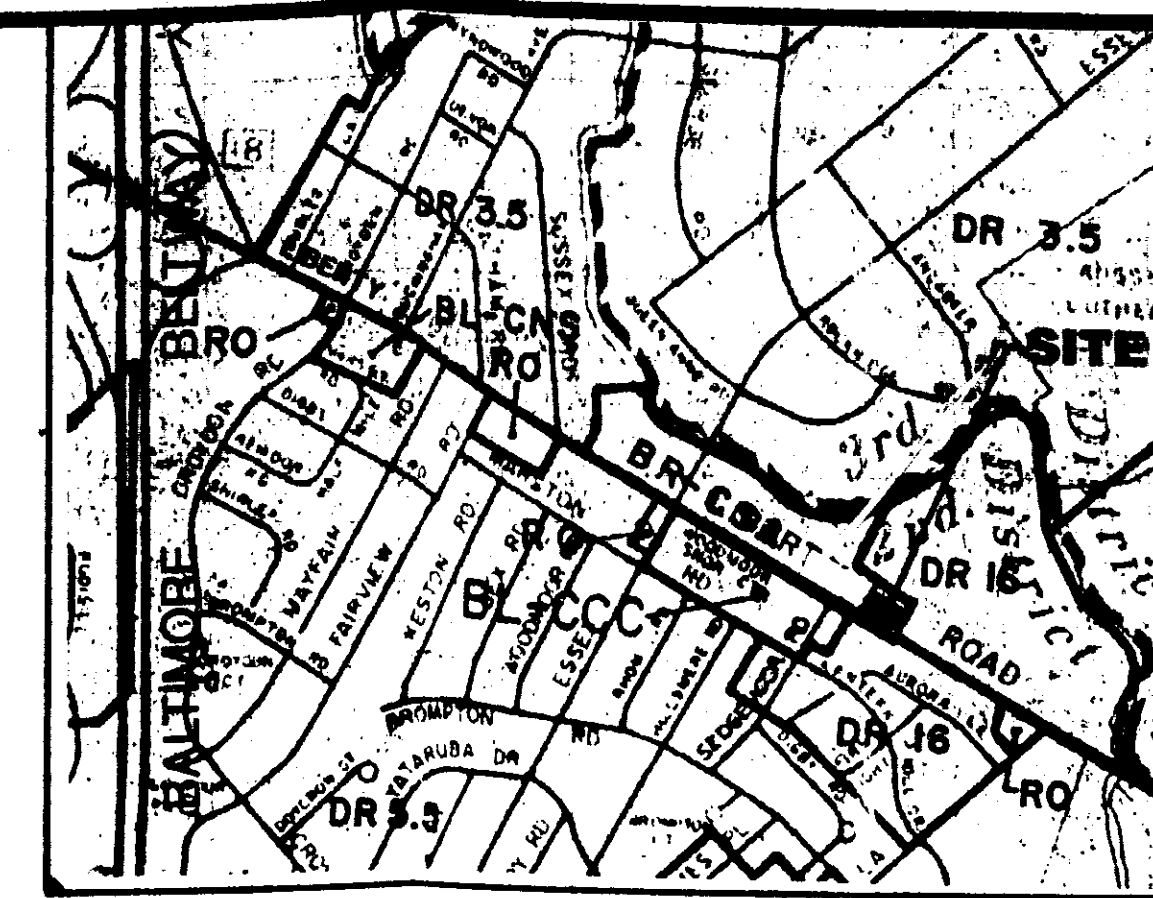
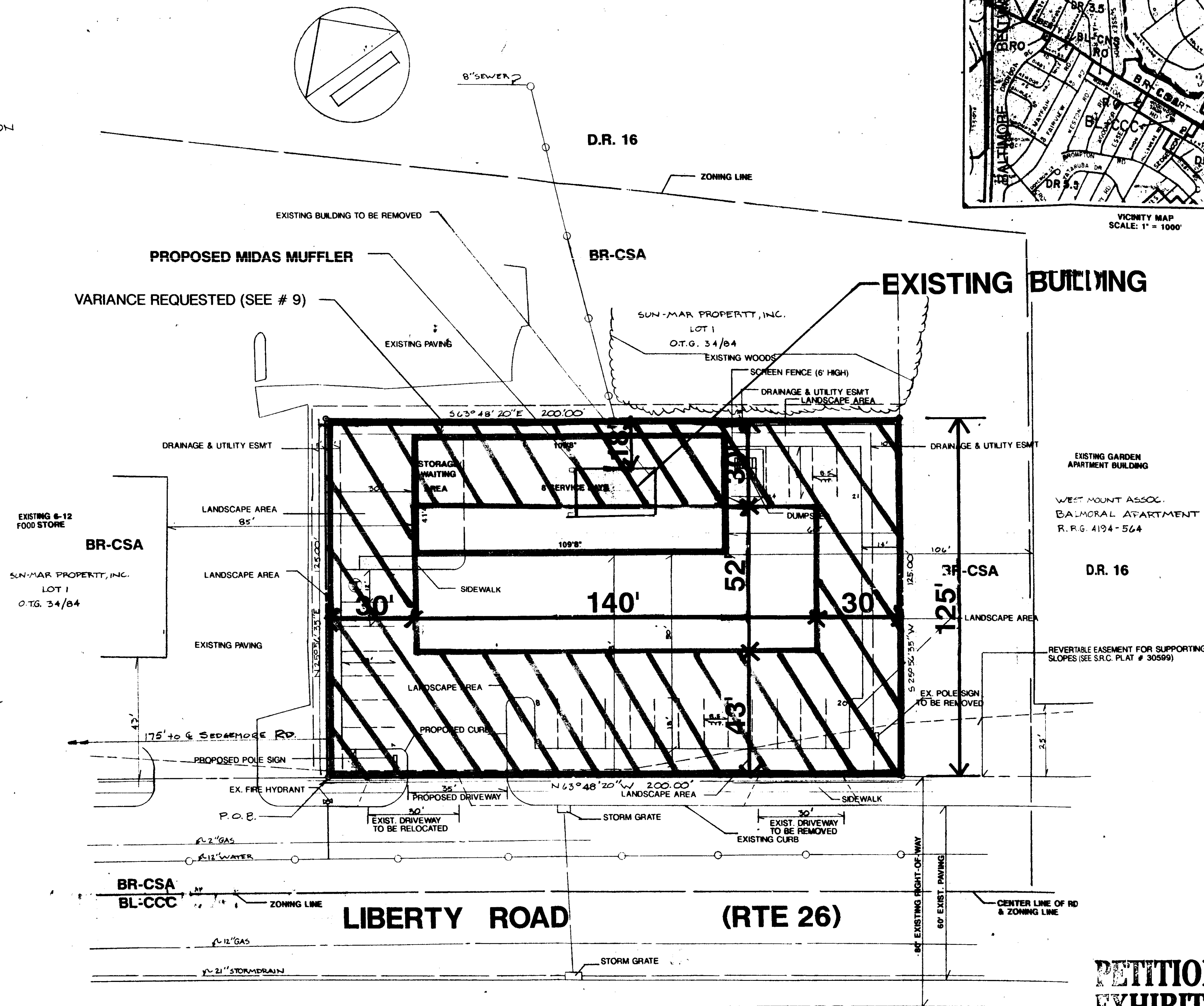
NOTE: EXISTING BUILDING AND LOCATION OF EXISTING IMPROVEMENTS BASED UPON A PLAN PREPARED BY THE TOWSON ASSOC., INC. ON 5/2/1990

PLAN TO ACCOMPANY VARIANCE APPLICATION

NOTES:

- 1) ZONING:
EXISTING- BR-CSA
PROPOSED- N/A
 - 2) LOT AREA: 25,000 # (0.57 AC) NET, 31,000 # (0.71 AC) GROSS
 - 3) EXISTING USE: VACANT LOT/VACATED GASOLINE SERVICE STATION
 - 4) PROPOSED USE: SERVICE GARAGE
 - 5) BUILDING AREA: 4,578 #
 - 6) BUILDING SETBACKS:

| | REQUIRED | PROVIDED |
|---------------------|----------|----------|
| FRONT- | 75' | 78' |
| INTERIOR SIDE- | 30' | 30'/60' |
| REAR- | 30' | 5' |
| STREET CORNER SIDE- | N/A | N/A |
 - 7) PARKING:
REQUIRED- 1 SPACE/300 # = 15 SPACES
PROVIDED- 24 SPACES + 8 BAYS = 32 SPACES
 - 8) UTILITIES:
SEWER- PUBLIC
WATER- PUBLIC
 - 9) VARIANCES:
TO SECTION 238.2 TO PERMIT A 5 FOOT REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET
 - 10) SPECIAL EXCEPTION/CONDITIONAL USE: NONE
- 11) Election District: 1
 - 12) Councilman District: 2
 - 13) Census tract: 4031
 - 14) Watershed: 26
 - 15) Subwatershed: 63
 - 16) Property Reference: Lot 2, "subdivision of Sun-Mar Company property", plat 34/84
 - 17) Property Account No. 1600002397
 - 18) Tax Map 88, Grid 2, Parcel 534
 - 19) Property Owner/Contract Purchaser:
Mr. Ed Mack
Midas Realty Corporation
1575 Jersey Avenue
North Brunswick, NJ 08902
 - 20) Front yard setback based upon averaging (Balto. Co. zoning regulation - policy manual 5-2 B/21)
 - 21) Amenity Open Space: N/A
 - 22) No addition road right-of-way dedication is required
 - 23) Floor area ratio calculations: Max. Permitted: 2.0
Provided: 0.15
 - 24) The site is not subjected to any previous zoning hearings or CRG approvals
 - 25) ALL PARKING AREAS AND TRAVEL LANES WILL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE AND PERMANENTLY STRIPED
 - 26) ALL SIGNS WILL BE IN CONFORMANCE WITH SECTIONS 413.2 AND 413.5 OF THE ZONING CODE
 - 27) DAMAGED OR DISABLED VEHICLES OR PARTS WILL NOT BE STORED ON SITE UNLESS ENTIRELY ENCLOSED WITH THE PROPOSED BUILDING



PREPARED BY:
WILLIAM P. HONE, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 300 PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 984-8831

PREPARED FOR:
MIDAS REALTY CORP.
1575 JERSEY AVENUE
NORTH BRUNSWICK, N.J.
08902

PRELIMINARY SITE PLAN
PROPOSED MIDAS MUFFLER SERVICE GARAGE
6922 LIBERTY ROAD
BALTIMORE COUNTY, MD

PETITIONER'S EXHIBIT 7

BUILDABLE AREA = 7,280 SQ. FT. (29.1%)

NON BUILDABLE AREA = 17,720 SQ. FT. (70.9%)

| | | | |
|------------------|------------------|--------------------|----------------------|
| SCALE: 1"=20' | DRAWN BY: BFB | DATE: 7-25-1990 | REVIEWED: 7-31-90 |
|------------------|------------------|--------------------|----------------------|



NOTE: BUILDING FOOTPRINT AND LOCATION OF EXISTING IMPROVEMENTS BASED UPON A PLAN PREPARED BY WILLIAM P. HONE, INC. ON 5/2/1990

PLAN TO ACCOMPANY VARIANCE APPLICATION EXISTING CONDITIONS:

NOTES:

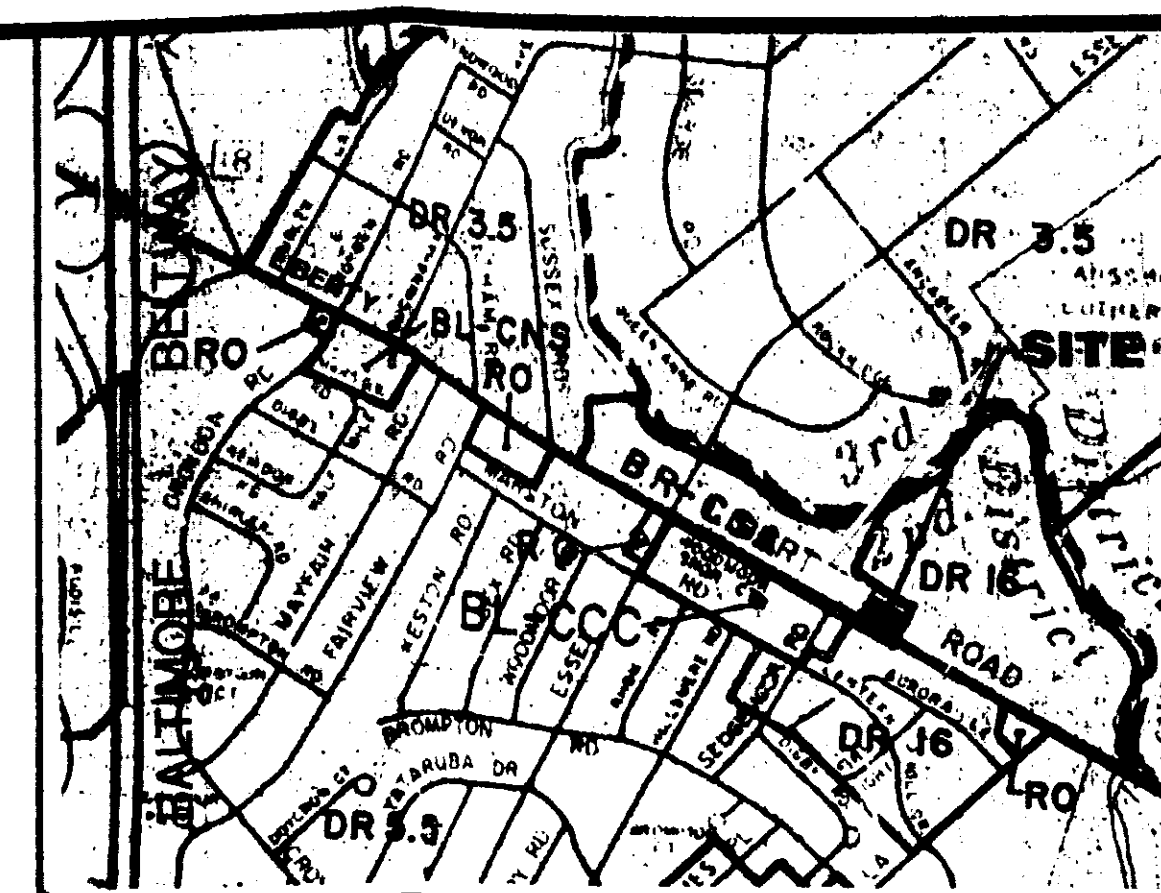
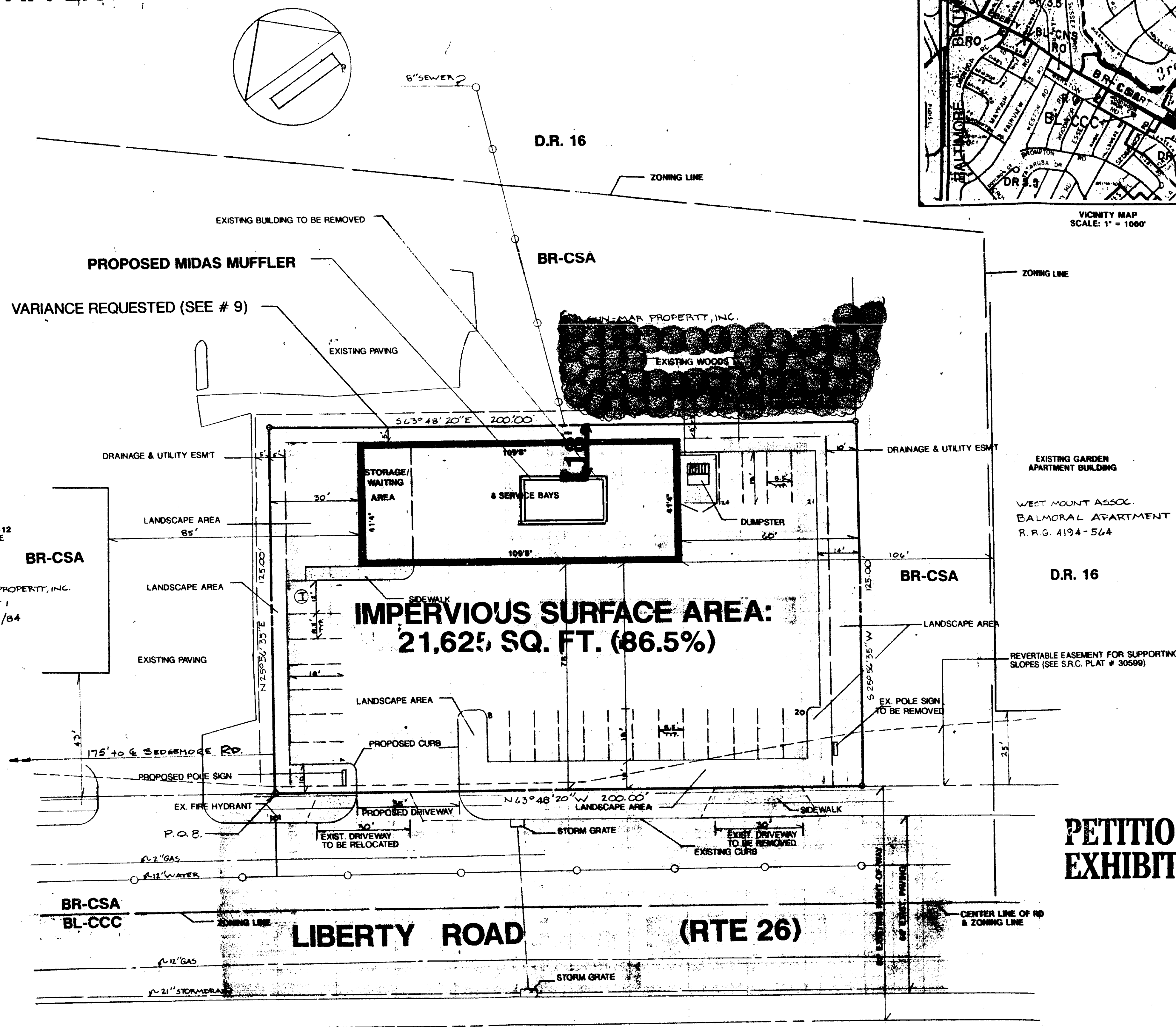
- 1) ZONING:
EXISTING- BR-CSA
PROPOSED- N/A
- 2) LOT AREA: 25,000 # (0.57 AC) NET, 31,000 # (0.71 AC) GROSS
- 3) EXISTING USE: VACANT LOT/VACATED GASOLINE SERVICE STATION
- 4) PROPOSED USE: SERVICE GARAGE
- 5) BUILDING AREA: 4578 #
- 6) BUILDING SETBACKS:

| | REQUIRED | PROVIDED |
|---------------------|----------|----------|
| FRONT- | 45' | 78' |
| INTERIOR SIDE- | 30' | 30'/40' |
| REAR- | 30' | 5' |
| STREET CORNER SIDE- | N/A | N/A |
- 7) PARKING:
REQUIRED- 1 SPACE/300 # = 16 SPACES
PROVIDED- 24 SPACES + 8 BAYS = 32 SPACES
- 8) UTILITIES:
SEWER- PUBLIC
WATER- PUBLIC
- 9) VARIANCES: TO SECTION 238.2 TO PERMIT A 5 FOOT REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET
- 10) SPECIAL EXCEPTION/CONDITIONAL USE: NONE

- 11) Election District: 1
- 12) Councilman District: 2
- 13) Census Tract: 4031
- 14) Watershed: 26
- 15) Subwatershed: 63
- 16) Property Reference: Lot 2, "subdivision of Sun-Mar Company property", plat 34/84
- 17) Property Account No. 1600002397
- 18) Tax Map 88, Grid 2, Parcel 534
- 19) Property Owner/Contract Purchaser:

Mr. Ed Mack
Midas Realty Corporation
1575 Jersey Avenue
North Brunswick, NJ 08902

- 20) Front yard setback based upon averaging (Balto. Co. zoning regulation - policy manual 5-2 B(2))
- 21) Amenity Open Space: N/A
- 22) No addition road right-of-way dedication is required
- 23) Floor area ratio calculations: Max. Permitted: 2.0
Provided: 0.15
- 24) The site is not subjected to any previous zoning hearings or CRG approvals
- 25) ALL PARKING AREAS AND TRAVEL LANES WILL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE AND PERMANENTLY STRIPED
- 26) ALL SIGNS WILL BE IN CONFORMANCE WITH SECTIONS 413.2 AND 413.5 OF THE ZONING CODE
- 27) DAMAGED OR DISABLED VEHICLES OR PARTS WILL NOT BE STORED ON SITE UNLESS ENTIRELY ENCLOSED WITH THE PROPOSED BUILDING



PREPARED BY:
WILLIAM P. MCK, INC.
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PREPARED FOR:
MIDAS REALTY CORP.
1575 JERSEY AVENUE
NORTH BRUNSWICK, NJ 08902

PRELIMINARY SITE PLAN PROPOSED MIDAS MUFFLER SERVICE GARAGE 6922 LIBERTY ROAD BALTIMORE COUNTY, MD

PETITIONER'S
EXHIBIT 8

| | | | |
|------------------|------------------|--------------------|---------------------|
| SCALE: 1"=20' | DRAWN BY: BFB | DATE: 7-25-1990 | REVISED: 7-31-90 |
|------------------|------------------|--------------------|---------------------|

NOTE: SHOWN LOCATIONS AND LOCATIONS OF EXISTING IMPROVEMENTS BASED UPON A PLAN PREPARED BY THE PETITIONER, INC. ON 8/2/1990